

Notice of Allowability

Application No.

10/056,560

Examiner

Gregory F. Cunningham

Applicant(s)

SAUND ET AL.

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/11/2005.
2. ☒ The allowed claim(s) is/are 1,5-15,26 and 27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/11/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This action is responsive to request for continued examination filed 10/11/2005.
2. The disposition of the claims is as follows: claims 1, 5-15, and 26-27 are pending in the application. Claims 1, 5 and 13 are independent claims. Claims 2-4 and 16-25 have been cancelled.

Allowable Subject Matter

3. Claims 1, 5-15, and 26-27 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claims 1, 5 and 13 stand novel over the related prior art. For instance, while the related art of Bushey (U.S. 2003/0001851 A1), does make use of recognition software that exists today which will transform a bit map or raster graphics digital image into an object-oriented graphic representation of the digital image; and while Cunningham et al., (US Patent 5,041,992) makes use of graphics editor that is known as an object graphics editor. Object graphics editors respond to commands to draw and erase lines and circles and other shapes and to fill and clear specified areas.

However neither Bushey nor Cunningham et al., disclose, "receiving a bitmapped image; determining perceptually salient structures in the bitmapped image, each perceptually salient structure correlating to a distinct area of the bitmapped image; converting the determined perceptually salient structures into structured object representations of the bitmapped image, the structured object representations being symbolic representations of the perceptually salient structures which are editable by a structured text/graphics editor; and altering the bitmapped

Art Unit: 2676

image into multiple, simultaneously existing structured alternative interpretations of the bitmapped image, each of the alternative interpretations being plausible intended outputs of a user” as disclosed by independent claims 1, 5 and 13.

Therefore as claimed by the combined elements of amended independent claim 1, 5 and 13, the cited references and prior art of record lack separately and in combination the elements of amended independent claims.

Claims 6-12 and 26 depend from allowed independent claim 1; claim 27 depends from allowed independent claim 5; and claims 14 and 15 depend from allowed independent claim 13, and therefore are also allowed.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

6. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Art Unit: 2676

Inquiries

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Cunningham

Examiner

Art Unit 2676

12/13/2005



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600